

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN WRIGHT and DANIELLE
PERREIRA,

Defendants.

Case No. 2:14-cr-357-APG-VCF

**ORDER ACCEPTING REPORT &
RECOMMENDATION REGARDING
WRIGHT'S MOTION FOR RETURN OF
PROPERTY**

(ECF Nos. 309, 321)

Defendant Brian Wright filed a motion for the return of property he claims is his. ECF No. 309. Magistrate Judge Ferenbach issued a Report & Recommendation recommending granting of part of the motion and denial of the remainder. ECF No. 321. No objection has been filed to that Report & Recommendation. Thus, I am not required to conduct "any review at all ... of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).¹ Because there is no objection, I may accept the recommendation without review. Therefore,

IT IS ORDERED that Magistrate Judge Ferenbach's Report & Recommendation (**ECF No. 321**) is **ACCEPTED** and Wright's motion (**ECF No. 309**) is **GRANTED IN PART**. Within 14 days of entry of this order, the Government shall return to Wright the Technolink watch and shall arrange for Wright to identify his cell phone. Should Wright identify his phone to the Government's satisfaction, the phone must be returned. The \$23,513.00 shall not be returned

Dated: February 28, 2017



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE

¹ The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge's report and recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise."); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (Based on *Thomas* and *Reyna-Tapia*, "district courts are not required to conduct any review at all . . . of any issue that is not the subject of an objection.").